

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Wu, Tzyy-Chouo <i>et al.</i> Application No.: 10/555,669 Int'l Filing Date: May 5, 2004 Title: ANTI-CANCER DNA VACCINE EMPLOYING PLASMIDS ENCODING SIGNAL SEQUENCE, MUTANT ONCO-PROTEIN ANTIGEN, AND HEAT SHOCK PROTEIN	Examiner: To be Determined Confirmation No.: 9879 Atty. Docket No.: JHV-050.01
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c/o Office of PCT Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RENEWED PETITION TO WITHDRAW THE HOLDING  
OF ABANDONMENT UNDER 37 CFR 1.181**

Applicants hereby renew their petition to withdraw the holding of abandonment as indicated in the Notification of Abandonment mailed on February 12, 2008. The Notification of Abandonment indicates that Applicants failed "to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 09/19/2006 within the time period set therein."

Applicants submit that a Response to the Notification of Missing Requirements was mailed to the Examiner on March 19, 2007. A copy of the filing is enclosed along with the stamped postcard indicating the filing was received on March 22, 2007. Included with this filing was a Power of Attorney and Correspondence Address Indication Form executed by the inventors, a copy of which is also enclosed, which appointed all practitioners associated with Customer Number 25181.

A Notification of Defective Response was mailed on October 5, 2007 to Applicants' prior representative, despite Applicants' submission of the above-mentioned Power of Attorney and Correspondence Address Indication Form. The Notification of Defective Response was not forwarded to Applicants' present representative.

The Notification of Abandonment mailed February 12, 2008 was also mailed to Applicants' prior representative, and was forwarded to Applicants' present representative by the prior representative.

On March 12, 2008, Applicants filed a Petition to Withdraw the Holding of Abandonment, in which Applicants demonstrated that Applicants had made a bona fide attempt to respond to the Notification of Missing Requirements mailed September 19, 2006. A copy of the Response to the Notification of Missing Requirements mailed on March 19, 2007 was enclosed with the petition, including the above-mentioned executed Power of Attorney and Correspondence Address Indication Form. At the time the Petition was filed, Applicants were not in possession of the Notification of Defective Response.

A Decision in response to Applicants' Petition was mailed on May 28, 2008, again to Applicants' prior representative. Applicants' Petition was dismissed without prejudice on the grounds the Applicants' March 22, 2007 Response to Notification of Missing Requirements was defective, and Applicants failed to respond to the Notification of Defective Response. This Decision was not forwarded to Applicants' present representative, who only became aware of the Decision and the Notification of Defective Response when a telephone enquiry regarding the status of the application was made to the USPTO on June 20, 2008.

Applicants file herewith a copy of the executed Oath or declaration by the inventors and an ADS, thereby completing Applicants' Response to Notification of Missing Requirements.

Applicants respectfully request withdrawal of the holding of abandonment. No fee is believed to be due with this filing. However, if any fee is due, the Commissioner is authorized to charge any amounts due to our **Deposit Account No. 06-1448, Reference JHV-050.01**.

Respectfully submitted,

Dated: June 24, 2008

/Gregory J. Sieczkiewicz/  
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